

## REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-40 were pending. Claims 1-40 were rejected. In this response, no claim has been canceled or amended. No new matter has been added.

Claims 1-3, 5, 9, 11-13, 15, 17, 19, 23, 25-27, 29-35, and 37-40 are rejected under 35 U.S.C. § 102(e) as being anticipated by Jones et al. (U.S. Publication Number US2002 0188841, hereinafter "Jones"). Claims 4, 6-8, 10, 14, 18, 20-22, 24, 28, 36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones in view of Shah et al (U.S. Publication Number US2003 0105821, hereinafter "Shah"). Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones in view of Will (U.S. Patent Number 5,825,353, hereinafter "Will").

It is respectfully submitted that Jones was filed April 5, 2002, after the filing date of the present application. Although Jones is a CIP (continuation-in-part) of U.S. Patent Application No. 09/612,177 filed on July 6, 2000 (hereinafter the '177 application, also after the filing date of the present application), which is a continuation of some other parent applications, Jones is not entitled to the priority date of the '177 application unless the cited sections are disclosed in the '177 or other parent applications.

It is respectfully submitted that the cited sections of Jones are not disclosed in the '177 application. For example, none of the figures of Jones is shown in the '177 application. As a result, it is respectfully submitted that none of the disclosure used by the Examiner to reject the claims in the current final Office Action is included in the parent, and thus does not get the benefit of the earlier date. Therefore, since the filing date of the present application is before

the filing date of the CIP, the rejection is not proper and should be withdrawn. Withdrawal of the rejections is respectfully requested.

An interview has been conducted on June 21, 2004. During the interview, Applicant has explained to the Examiner based on the above reasons. The Examiner agreed to consider Applicant's arguments. Applicant thanks with appreciation the Examiner for participating the interview.


In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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Kevin G. Shao  
Attorney for Applicant  
Reg. No. 45,095

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025-1026  
(408) 720-8300